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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,144	12/30/1999	FEN-CHUNG KUNG	1999-0241	6003

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EXAMINER

NGUYEN, QUYNH H

ART UNIT PAPER NUMBER

2642

DATE MAILED: 07/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/475,144

Applicant(s)

KUNG ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-14, 17-33, and 36-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al. (U.S. Patent 5,946,386) in view of Arbel et al. (U.S. Patent 5,276,731).

Referring to claim 1, Rogers et al. teach a method for providing call forwarding in an IP telephone network, comprising the steps of: routing the call to a network device; sending call forwarding information to network device if there is an active call forwarding and routing the call to at least a third telephone based on the call forwarding information (col. 37, lines 31-32 and 39-41). However, Rogers et al. do not mention about a detail call forwarding profile created and IP telephone network. Arbel et al. teach creating/setting up call forwarding profile (col. 10,

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lines 11-27). Other limitations in the claim such as: dialing a unique identifier for a first telephone from a second telephone to make a call; checking stored call forwarding profiles to determine whether there is an active call forwarding profile for first telephone; connecting said call to first telephone if an active call forwarding profile is not found; routing the call to at least a third telephone if there is an active call forwarding profile for the first telephone are standard call forwarding features. Therefore, it would have been obvious to one of skill in the art to add IP telephone network in order to receive and process IP telephone calls. The advantages of using IP telephony are well known. For example, IP telephone calls are economical. And to allow subscribers create/set up call forwarding profile according their own schedule/preferences.

Referring to claims 2, 21, and 39, Rogers et al. teach using a distinctive ringing tone at the at least third telephone to indicate that the incoming call is a forwarded call (col. 38, lines 4-5).

Referring to claims 3, 22, and 40, Rogers et al. as discussed above. However, Rogers et al. do not mention subscriber creates call forwarding profiles using a computer connected to customer premises equipment via phone lines. Arbel et al. teach using personal communication software to access to a remote database/profiles (col. 7, lines 4-7).

Referring to claims 4, 23, and 41, Rogers et al. as discussed above and mentioned about Broadband Residential Gateway (Fig. 2, 207 and 213). However, Rogers et al. do not mention subscriber creates call forwarding profiles by interacting with the customer premises equipment. Arbel et al. teach subscriber creates call forwarding profiles by interacting with the customer premises equipment (col. 6, lines 33-40).

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Referring to claims 5, 6, 24, 25, 42, and 43, Rogers et al. and Arbel et al. as discussed above. However, they did not mention about the active call forwarding profile remains active until the call forwarding profile is disabled or deleted from the customer premises equipment by a subscriber. They are well known file processing feature. For example, database will remain on customer premises equipment until file deleted.

Referring to claims 7-9, 26-28, and 44-46, Rogers et al. teach call forwarding profile comprises multiple unique identifiers to which the call can be routed or simultaneously or sequentially to the multiple unique identifiers (col. 37, lines 53-55).

Referring to claims 10, 29, and 47, Rogers et al. teach call forwarding profile only forwards calls from a predetermined list of caller unique identifiers (col. 37, lines 31-33).

Referring to claims 11-14, 30-33, and 48-51, Rogers et al. as discussed above. However, Rogers et al. do not teach the call forwarding profile specifies that call are only to be forwarded during predetermined periods of time are various days of the week or hours or the day or hours and days of the week. Arbel et al. teach teach the call forwarding profile specifies that call are only to be forwarded during predetermined periods of time are various days of the week or hours or the day or hours and days of the week (col. 10, lines 11-27).

Referring to claims 17 and 36, Rogers et al. teach customer premises equipment is a Broadband Residential Gateway ((Fig. 2, 207 and 213).

Referring to claims 18 and 37, Rogers et al. teach network device is a Call Manger (Fig. 2, 208).

Referring to claims 19 and 20, Rogers et al. teach an IP telephone system for providing call forwarding, comprising: a network device for routing telephone calls between the plurality

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of telephones (col. 37, lines 29-34 and 39-41); customer premises having at least one telephone (Fig. 1); and the call is routed to the appropriate telephone based on the call forwarding information contained in active call forwarding profile ((col. 37, lines 31-33 and 39-41).

However, Rogers et al. do not teach a plurality of telephones, each telephone having a unique identifier, customer premises device has memory is a flash memory means for call forwarding profiles and means for determining if the call forwarding profile is active when a call is received at the customer premises device for the telephone. Arbel et al. teach a plurality of telephones, each telephone having a unique identifier (col. 10, lines 11-27), customer premises device has memory is a flash memory means for call forwarding profiles and means for determining if the call forwarding profile is active when a call is received at the customer premises device for the telephone (Fig. 3, 370). Therefore, it would have been obvious to one of skill in the art to have customer premises device that has memory is a flash memory means for call forwarding profiles and means for determining if the call forwarding profile is active when a call is received at the customer premises device for the telephone to allow subscribers create/set up call forwarding profile according their own schedule/preferences.

3. Claims 15, 16, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al. (U.S. Patent 5,946,386) in view of Agraharam et al. (U.S. Patent 5,987,508).

Referring to claims 15, 16, 34, and 35, Rogers et al. as discussed above. However, Rogers et al. do not teach unique identifier is a telephone number or an IP address. Agraharam et al. teach telephone number associated with an alias e-mail address (Abstract, lines 4-5 and col. 1, lines 44-49). Therefore, it would have been obvious to one of skill in the art to have the connectivity between the use of the telephone network and an e-mail address to easy method of

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communication and reduce the complexity of remembering and/or keep track of the e-mail addresses of multiple recipients.

4. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arbel et al. (U.S. Patent 5,276,731).

Referring to claim 38, Arbel et al. teach a method for providing call forwarding in an IP telephone network, comprising the steps of: creating a call forwarding profile for at least a first telephone (col. 10, lines 20-27); storing call forwarding profile (col. 10, lines 12-13 or database), routing a call from a second telephone to the first telephone to a call manager (col. 37, lines 31-32 and 39-41). Other limitations in the claim such as: checking stored call forwarding profiles to determine whether there is an active call forwarding profile for first telephone; connecting said call to first telephone if an active call forwarding profile is not found; routing the call to at least a third telephone if there is an active call forwarding profile for the first telephone are standard call forwarding features.

5. Any response to this action should be mailed to:

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or faxed to:

(703) 308-6306, (for formal communications intended for entry, please label the response "EXPEDITED PROCEDURE")

or: (703) 308-6296, (for informal or draft communication, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

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Drive, Arlington, VA, Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn
Quynh H. Nguyen
July 19, 2002


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600